

Local Law relating to the **Control and Management of Community Halls and Recreation Centres**

Local Government Act 1960

The Municipality of the City of Melville

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 19th October 1993 to make and submit for confirmation by the Governor the following Local Law.

Repeal

1. The Local Laws relating to Swimming Pools published in the Government Gazette on 14 September 1979 and amended from time to time thereafter, are hereby repealed.
2. The Local Laws relating to the Control and Management of Community Recreation Centres published in the Government Gazette on 12 June 1981 and amended from time to time thereafter, are hereby repealed.

Definitions

3. In this Local Law the following terms shall apply -

"The Act" means the Local Government Act 1960.

"Attendant" means an officer or employee of the Council duly authorised to perform duties in connection with a Centre.

"Centre" shall mean a Community Hall, Recreation Centre and/or Aquatic Centre and shall include all associated buildings, sporting grounds, swimming pools, parking areas, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of such Recreation Centres or used in connection therewith, within the lot or lots set aside for the purpose of a Centre and under the care, control and management of the Council.

"Centre Manager " means the person for the time being employed by the Council to control and to manage a Community Hall, Recreation Centre and/or Aquatic Centre and includes the assistant or deputy.

"Equipment" shall mean all equipment used for sport and recreation which is the property of the Council.

"Pool Area" means and includes each of the swimming and wading pools and spas, for the time under the control and management of the Council, and all buildings, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of such swimming and wading pools and spas, or used in connection therewith.

"The Council" shall mean the Council of the municipality of the City of Melville or an officer duly authorised to carry out the functions of this Local Law.

Conduct

4. No person shall -
- (a) enter a Centre without having first paid, to the Centre Manager or Attendant, the proper charge for admission unless that person is an officer or employee of the Council in the course of his/her duties.
 - (b) obstruct a Centre Manager or Attendant in carrying out their duties.
 - (c) enter or depart from any part of a Centre except by means of the respective entrances or exits set apart for that purpose.
 - (d) behave in an unseemly, improper, disorderly, riotous or indecent manner: swear or use any indecent, obscene, offensive or abusive language or gamble or misconduct himself or herself, in or about a Centre.
 - (e) subject to Clause 16(h) be in an intoxicated condition or have in their possession any intoxicating liquor or prohibited drugs.
 - (f) climb upon any roof, fence, wall or partition of a Centre.
 - (g) deface or damage, place any fixing device, improperly use or interfere with any building, wall or structure, tap, valve, plug, locker or other fitting or appliance, chattels or equipment on or forming part of a Centre.
 - (h) remove from a Centre any chattels or equipment which is the property of the Council.
 - (i) being responsible for the control of a dog, other than a bona fide guide dog, or other animal shall cause or permit such dog or animal to enter or remain in or about a Centre.
 - (j) deposit any filth or rubbish in any part of a Centre except in receptacles set aside for that purpose.
 - (k) consume foodstuffs or drinks in any specific area in which consumption is prohibited by notice.
 - (l) smoke in any part of a Centre.
 - (m) enter any portion of a Centre set apart exclusively for the opposite sex, or enter or attempt to enter, without the consent of the occupier, any dressing cubicle or other compartment which is already occupied.



- (n) interfere with any other person, or take any action whatsoever which shall in any way limit the enjoyment of the users of the Centre, provided that nothing herein contained shall apply to the playing of any games or aquatic sports organised and conducted by any Club, association or organisation or other person at such time and in such manner as shall be approved by the Council.
- 5. Every person using a Centre shall obey all reasonable directions of the Centre Manager or Attendant with regard to such use.
- 6. A person shall not for profit, teach, coach or train any person unless with the prior written consent of the Council, subject to such conditions as it deems fit and the Council may at any time withdraw such consent.

Admission

- 7. (a) A Centre shall be open for admission of the public during such hours and periods as the Council may from time to time determine.
(b) at the discretion of the Manager and subject to the approval of the Council, a Centre, or any part thereof may, be set aside for the use of certain persons to the exclusion of others.
- 8. No ticket, token, licence or receipt issued, as provided by this Local Law shall be transferable and no person shall enjoy and benefit from any of the privileges obtained from possession of the ticket, other than the person to whom it was originally issued.
- 9. (a) The Centre Manager or Attendant may temporarily suspend admission to or remove from a Centre or any part thereof, all or any persons or person if, in their opinion, such action is necessary or desirable.
(b) Any person who has been refused admission to a Centre or has been requested to leave a Centre may appeal against that action by letter, stating reasons why the action taken was unreasonable. The Council shall consider the objection and give such direction in the matter as it deems fit.
- 10. (a) The Centre Manager or an Attendant may refuse to admit to a Centre any person who shall have been convicted of a breach of any of the provisions of this Local Law until such time as the Council may decide that such person shall be admitted.
(b) The Council may issue a written direction to a Centre Manager that any person named in such direction shall not be admitted to a Centre and whilst such direction remains in force, a Centre Manager or an Attendant shall not admit such person to a Centre or permit such person to be therein and such person shall not, with the knowledge that such direction is in force, enter or attempt to enter a Centre.
- 11. Every person shall, when leaving a Centre, if requested to do so, produce his or her bag for inspection by a Centre Manager or Attendant.



Bookings

12. Any person, or group who wishes to hire any portion of a Centre or Pool Area or any property or equipment for use in association therewith shall make written application to the Council and shall state the purpose for which the facility, property or equipment is required.
13. The Council may grant such approval subject to such conditions as it deems fit and may, at any time, withdraw such consent.
14. Annual or seasonal bookings may be accepted subject to the Council reserving the right to cancel such bookings and by giving adequate notice in writing to that hirer to enable meetings or functions which in the opinion of the Council will be beneficial or of importance to the district.
15. No booking shall be accepted more than twelve months in advance.

Conditions of Hire

16. The hirer of a Centre or any part thereof shall -
 - (a) be personally liable for any breach of this Local Law committed during the hiring.
 - (b) maintain law and order and decent behaviour by all in attendance within a Centre.
 - (c) make good any damage to a Centre for any loss or damage to the property and equipment hired therewith or situated therein and so caused during the term of the hiring; or at the option of the Council, pay to the Council the costs of repair or replacement of any property or equipment so damaged.
 - (d) permit any person authorised by the Council to have free ingress to a Centre for the purpose of an inspection, or enforcement of any provisions of this Local Law.
 - (e) leave a Centre in a clean and tidy condition after the term of the hiring.
 - (f) place all refuse and litter in the receptacles so provided in a Centre.
 - (g) report any damage or defacement to the Centre Manager.
 - (h) not allow the consumption of any alcoholic beverage, in or about a Centre without having first obtained a permit as required under the Liquor Act 1970.



17. Acceptance of the provisions of this Local Law shall be deemed to be a condition of the hiring.
18. The Council may refuse to let a Centre or any part thereof to any applicant without stating any reason.

Lost Property

19. Every person finding, within a Centre , any article which may have been left or lost therein, shall immediately deliver it to the Centre Manager or Attendant who shall thereupon register a description of such article and all particulars relating thereto in a book which shall be kept for that purpose, and any person claiming the article, who satisfies the Centre Manager or Attendant that they are the lawful owner of the article, shall, upon signing a receipt for it, have the article returned.
20. All articles left in or about a Centre, and not claimed within a period of three (3) calendar months, shall be disposed of by the Council in any manner acceptable at law.
21. Neither the Council nor a Centre Manager or Attendant or officer or employee of the Council shall in any way be responsible for any articles or money lost by or stolen from any person whilst in a Centre or for any articles damaged or destroyed whilst in or about a Centre.

Swimming Pool Areas

22. The Centre Manager or any Attendant may refuse admission to any person who, in their opinion:
 - (a) is a child under the age of six (6) years and is unaccompanied by a responsible person over the age of fourteen (14) years: or
 - (b) is apparently suffering from any contagious, infectious or cutaneous disease or skin complaint, or whilst in an unclean condition, enter or use or attempt to enter or use the Pool Area or any part thereto.

Liability

23. All persons admitted to all Community Halls and Recreation Centres are admitted upon the condition that neither the Council nor any person for whose acts the Council is responsible at law, nor the Centre Manager or Attendant, shall be liable to any person so admitted for injury or damage sustained by that person through any act, neglect, default or omission of any other person thereon.



Contravention

24. A person who infringes any of the provisions of this Local Law, or attempts any breach thereof, may be summarily removed from a Centre premises or any part thereof by the Centre Manager or an Attendant, and no person shall have any right of action against the Centre Manager or Attendant or the Council who in good faith effects or causes to be effected such removal.

Penalty

25. Any person who contravenes or fails to comply with any provision of this Local Law commits an offence and is liable on conviction to a penalty as prescribed in Section 190(7)(d)(i) and (ii) of the Act.

Amendments

Nil

